

07-21-03

Express Mail No.: EL 346 809 490 US

1651
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7-24-03
Done

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Markus BAUR et al.

Confirmation no. 8748

Application No.: 09/982,649

Group Art Unit: 1651

Filing Date October 18, 2001

Examiner: B. Lankford

For: IMPROVED IMMORTALIZED HUMAN SKIN
CELL LINES AND NOVEL SERUM-FREE MEDIUM
USEFUL FOR THE PRODUCTION THEREOF

Attorney Docket No.: 88265-10173

RESPONSE TO RESTRICTION

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the office action dated July, 1, 2003, Applicants elect, with traverse, the invention of Group I, process claims 1-11, for examination in this application. The traversal is on the basis that the claims of Groups I and II should be examined together.

The basis for the Examiner's restriction is that the compositions are independent since they are not disclosed as being capable of use together, they have different modes of operation, they have different functions and/or they have different effects. This statement is incorrect. The claims of group I and II are related in that they are product and product by process claims. In reviewing any art that is directed to the process of making such products, however, disclosures of the products themselves should also be disclosed. Thus, the claim groupings are sufficiently related so that it should not pose an additional burden on the Examiner to review the patentability of the product-by-process claims. Thus, claims 12-13 must be examined with product claims 1-11, so that claims 1-13 should be examined together at this time.

No fee is believed to be due for this response. Should any fees be required, please charge such fees to Winston & Strawn Deposit Account No. 501-814.

Respectfully submitted,

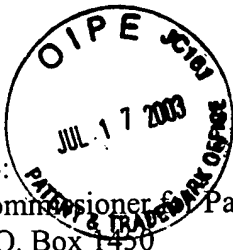
Date:

7/17/03

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EXPRESS MAIL LIST

To: Commissioner of Patents
P.O. Box 1450
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The following items listed below are being filed herewith with the USPTO on July 17, 2003

Express Mail No. EV 346 809 490 US		
Attorney Docket No.	Appln. Serial No.	Items - Documents filed on July 17, 2003
88265.353	09/729,347	Amendment
81394.988	60/476,461	Executed Assignment; Assignment Recordation Cover Sheet
88265.10173	09/982,649	Response to Restriction

*Please acknowledge receipt of these items as received by returning
the enclosed postcards with the date of receipt of July 17, 2003*

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